

Application No. 09/775,083  
Paper Dated: January 6, 2005  
In Reply to USPTO dated December 7, 2004  
Attorney Docket No. 218-010137

2876  
JFW

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. : 09/775,083 Confirmation No. : 6320  
Applicant : **Fred SMITH**  
Filed : February 1, 2001  
Title : **COMBINATION FUEL DISPENSING AND LOTTERY  
TICKET DISPENSING METHOD AND APPARATUS**  
Group Art Unit : 2876  
Examiner : Seung H. Lee  
Customer No. : 28289

**LETTER RESPONSE TO OFFICE  
COMMUNICATION OF DECEMBER 7, 2004**

MS AMENDMENT  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

On December 7, 2004, an Office Communication concerning the above-referenced application was received. In particular, this Communication asked that Applicant submit a statement in a separate page alleging that there is a basis upon which application is entitled to a judging relative to the patentee, and that such a statement is necessary in order to

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, Alexandria, VA 22313-1450 on January 6, 2005

Linda C. Seger  
(Name of Person Mailing Paper)

*Linda C. Seger*  
Signature

01/06/2005  
Date

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invoke an interference procedure. On January 4, 2005, the undersigned contacted Supervisory Patent Examiner Michael G. Lee regarding previous attempts to satisfy this requirement. Specifically, on November 22, 2004, a Statement of Basis for Interference was filed as a separate paper, which the undersigned believed, at that time, satisfied the "separate page" requirement. The undersigned was further informed that Examiner Lee would look into this matter and respond accordingly. Therefore, this responsive Letter serves to toll Applicant's response time to the Communication.

The undersigned would like to thank the Supervisor Patent Examiner for the courtesies extended in that telephone call. If the Examiner requires any further statements or filings in this matter in order to appropriately invoke the interference proceeding, please contact the undersigned in due course.

Respectfully submitted,

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By



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